

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

..title

AN ORDINANCE relating to a protest waiver agreement between and among the City, the Waterfront Park Conservancy, and certain property owners affected by the proposed Waterfront Local Improvement District; approving the agreement and authorizing the Director of the Office of the Waterfront and Civic Projects and the Superintendent of the Department of Parks and Recreation to execute the agreement and implement its terms.

..body

WHEREAS, by Resolution 31399, adopted in August 2012, the Council expressed the City's

support for the Concept Design and Framework Plan, which was developed based on

broad and inclusive public engagement over two years by the City and the Central

Waterfront Committee (CWC), and endorsed a Central Waterfront Strategic Plan

("Strategic Plan"), which established a funding plan and called for leveraging a mix of

public, private, and philanthropic sources, including formation of the Waterfront Local

Improvement District (LID), to achieve the vision described in the Concept Design and

Framework Plan; and

WHEREAS, the Council subsequently established the "Central Waterfront Improvement

Program" to incorporate elements of the Concept Design and Framework Plan into the

City's annual Capital Improvement Plans, pursuant to which the City is planning to invest

approximately \$248 million from a range of local funding sources; and

WHEREAS, by Resolution 31768, adopted in September 2017, the Council reaffirmed the

funding plan (including local improvement district formation) for the Central Waterfront

Improvement Program and outlined a process for formation of the Waterfront LID; and

WHEREAS, by Resolution 31812 ("Intent-to-Form Resolution") adopted in May 2018, the

Council declared its intent to order the construction of the LID Improvements and to

1 create the Waterfront LID to assess a part of the cost and expense of carrying out those
2 LID Improvements against the property specially benefited thereby; and

3 WHEREAS, it is in the City's interest to help ensure the Central Waterfront Improvement
4 Program can be successfully completed by forming the Waterfront LID; and

5 WHEREAS, certain property owners have raised issues regarding the formation of the LID; and

6 WHEREAS, under State law, municipalities pursuing formation of an LID may enter into protest
7 waiver agreements with affected property owners as a means to resolve issues associated
8 with the LID, and property owners may waive their rights to protest the LID under such
9 an agreement;

10 WHEREAS, the City, the Waterfront Park Conservancy, and a number of property owners
11 within the boundaries of the Waterfront LID have worked together to negotiate the terms
12 of a waiver agreement, and believe that such an agreement is timely and appropriate to
13 advance the project while resolving concerns of property owners, and now wish to
14 execute that agreement; NOW, THEREFORE,

15 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

16 Section 1. The "Waterfront LID Agreement," attached to this ordinance as Exhibit A, is
17 approved and the Director of the Office of the Waterfront and Civic Projects, on behalf of the
18 Director of the Seattle Department of Transportation, and the Superintendent of the Department
19 of Parks and Recreation are hereby authorized to execute this Agreement and implement its
20 terms.

Section 2. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the _____ day of _____, 2019,
and signed by me in open session in authentication of its passage this _____ day of _____, 2019.

President _____ of the City Council

Approved by me this _____ day of _____, 2019.

Jenny A. Durkan, Mayor

Filed by me this _____ day of _____, 2019.

Monica Martinez Simmons, City Clerk

(Seal)

Attachments:
Exhibit A – Waterfront LID Agreement